



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,673	10/31/2001	Sang-Hoon Kim	P/4006-3	3185

2352 7590 01/25/2005

OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER

ZIRKER, DANIEL R

ART UNIT	PAPER NUMBER
----------	--------------

1771

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE -3- MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 12/2/04
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-5, 7-35 is/are pending in the application.
- ☐ Of the above claim(s) 24-29 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 2, 7-9, 13-15, 17, 18, 20, 22, 23, 30, 35/30 is/are rejected.
- ☒ Claim(s) 12, 16, 19, 21, 31-34, 35/31, 35/32, 35/34 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 011205
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit 1771

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. The Examiner has renumbered applicants' amended claims 24-29 as claims 30-35 since it is believed that since claims 24-29 were held to be constructively non-elected in the last Office action, Paper No. 061704, it is proper to treat the revised claims 24-29 as newly presented claims 30-35, which the Examiner has done.

3. Claims 2, 7-9, 13-15, 17, 18, 22, 23, 30 and 35/30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over applicants' admissions concerning the prior art in the specification on pages 1 and 2, particularly page 1 lines 10-20 and page 2 lines 10-22, taken in view of Leander, substantially for the reasons set forth in paragraph No. 3 of Paper No. 061704, together with the following additional observations. More particularly, these amended claims still fail to distinguish the teachings of Leander, which as previously noted are relied upon for disclosing the presence of an adhesive layer or layers which are applied in patterns or narrow rows and various other geometries that are alternated with or separated by spaces or rows free from adhesive, as well as other various geometric patterns such as are set forth, e.g. in Figure 2 of the reference. It is again noted with respect to the embodiments

Art Unit 1771

that are coated on both sides with an adhesive, e.g., independent claim 2 and its dependent claims, that the Examiner still believes that the rationale for applying such rows of adhesive which are separated by alternate rows which are free of adhesives applies equally well to two sided embodiments as it does to just single sided coated tape surfaces. With respect to applicants' remarks (Response, page 9, third complete paragraph), the Examiner notes that Leander is not relied upon for teaching a double sided tape, an embodiment which applicants have admitted are known in their admissions in the prior art, and with respect to such limitations as the presence or absence of a release layer between one side of the tape containing an adhesive portion, and the other side of the tape, these particular claims do not forbid the presence of such release layers or the like. The Examiner, however notes that claims 12, 16, 19, 21 and 25 (now renumbered as claim 31, and also claims 26-28 renumbered as claims 32-34 and claim 29 and its multiple alternatives renumbered as claims 35/31, 35/32 and 35/34) all contain the non obvious limitation set forth in the next to last paragraph on page 9 of applicants' Response wherein the claims now recite "wherein the adhesive sections on the first side of the adhesive tape are narrower than the non-adhesive sections on said second side, such that said adhesive sections on said first side contact exclusively

Art Unit 1771

non-adhesive sections on said second side" is a newly presented limitation which clearly recites a non-obvious property for these various dependent claims which the Examiner believes is neither taught nor suggested by the prior art, alone or in combination and as such is deserving of patentable protection. However, the aforementioned remaining claims, it is again respectfully submitted, still fail to distinguish the relied upon prior art and as such are held as being non-patentable.

4. Claims 12, 16, 19, 21, 31-34, 35/31, 35/32, and 35/34 are each objected to as being dependent upon a rejected base claim for reasons set forth above and would be allowable if rewritten so as to eliminate this informality.

5. **THIS ACTION IS MADE FINAL.** Applicants are reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a). The practice of automatically extending the shortened statutory period an additional month upon the filing of a timely first response to a final rejection has been discontinued by the Office. See 1021 TMOG 35.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED

Art Unit 1771

STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Zirker whose telephone number is (571) 272-1486. The examiner can normally be reached on Monday-Thursday from 8:30 A.M. to 6:00 P.M. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris, can be reached on (571) 272-1478. The fax phone number for this Group is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR. Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic

Serial No. 10/001,673

-6-

Art Unit 1771

Business Center (EBC) at 866-217-9197 (toll-free).

Dzirker:cdc

January 21, 2005

DANIEL ZIRKER
PRIMARY EXAMINER
GROUP ~~1300~~ 1700

Daniel Zinker